

THE LAW OFFICE OF JOHN A. GRIECCI

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703 PIKE AVENUE, SUITE B #657
HERMOSA BEACH, CALIFORNIA 90254
Telephone (310) 376-6527
Facsimile (310) 376-6529

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DATE: September 8, 2004

TO: Victor S. Chang FAX NO: 703-872-9306
Terrel H. Morris

FIRM: U.S. Patent and Trademark Office CONF. NO: 571-272-1474

FROM: John "Jak" Gricci, Esquire

Receipt Confirmation via Phone Requested: YES NO

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MESSAGE: Dear Examiner Chang,

Enclosed please find the materials for our interview, scheduled for 1:00 PM Eastern Standard Time.

Best Regards,
John "Jak" Griecci

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1. Notes:

- Requested in para. 4, applicants apologize, but they do not possess a full copy of JP Hei 3-85886 translation.
- Required in para. 5, corrected drawing sheets were submitted on Nov. 4, 2003, and are shown in PAIR under the entry of: Nov. 10, 2003 Drawings.
- Para. 8 asserted the cited art deemed proper because no certified translation was submitted. Applicants respectfully note a certified translation was submitted on May 5, 2004, and is shown in PAIR under the entry May 5, 2004 Foreign Priority Papers Filed.
- From the Office Action, pg. 6, applicants confirm that the test method in itself is not a structural element. The test method simply provides a context for construing the structural limitation "a ventilation resistance value in a horizontal direction that does not exceed 0.20 Kpa·s/m"

2. Claims 3, 7, 10, 16 and 20 have been amended to remove the term "configured."

3. On attached sheets, applicants provide an amended claim 1, incorporating the limitations of claim 11, and an amended claim 11, incorporating the limitations of claim 12. Applicants also clarify claim 21. In the interview, applicants would like to discuss these three claims, as provided in two comments below.

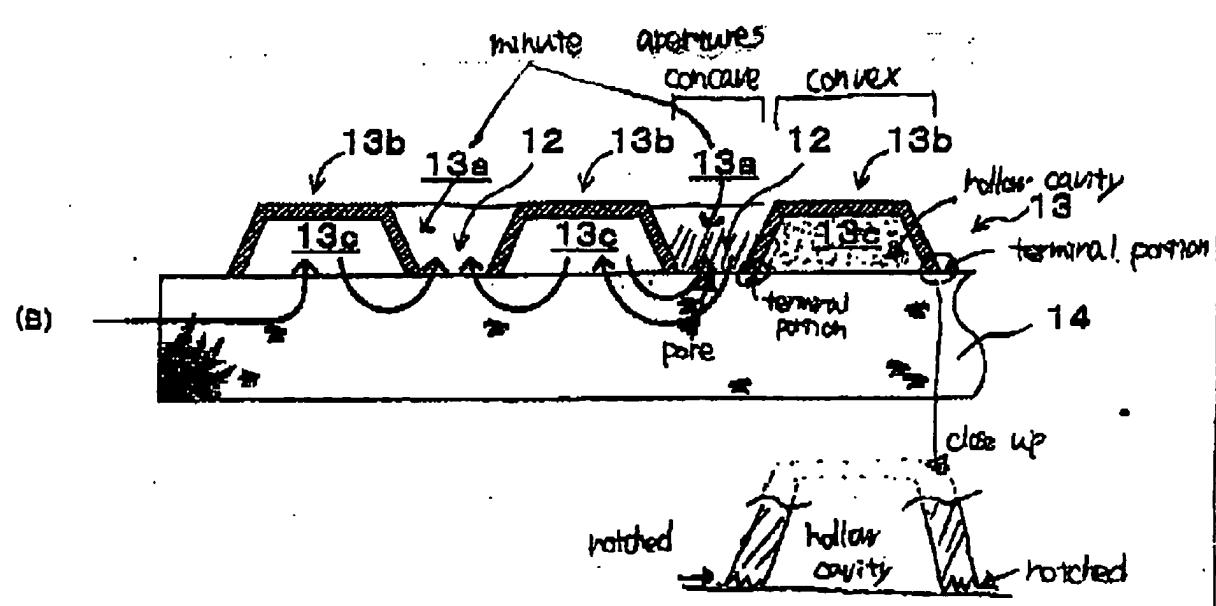
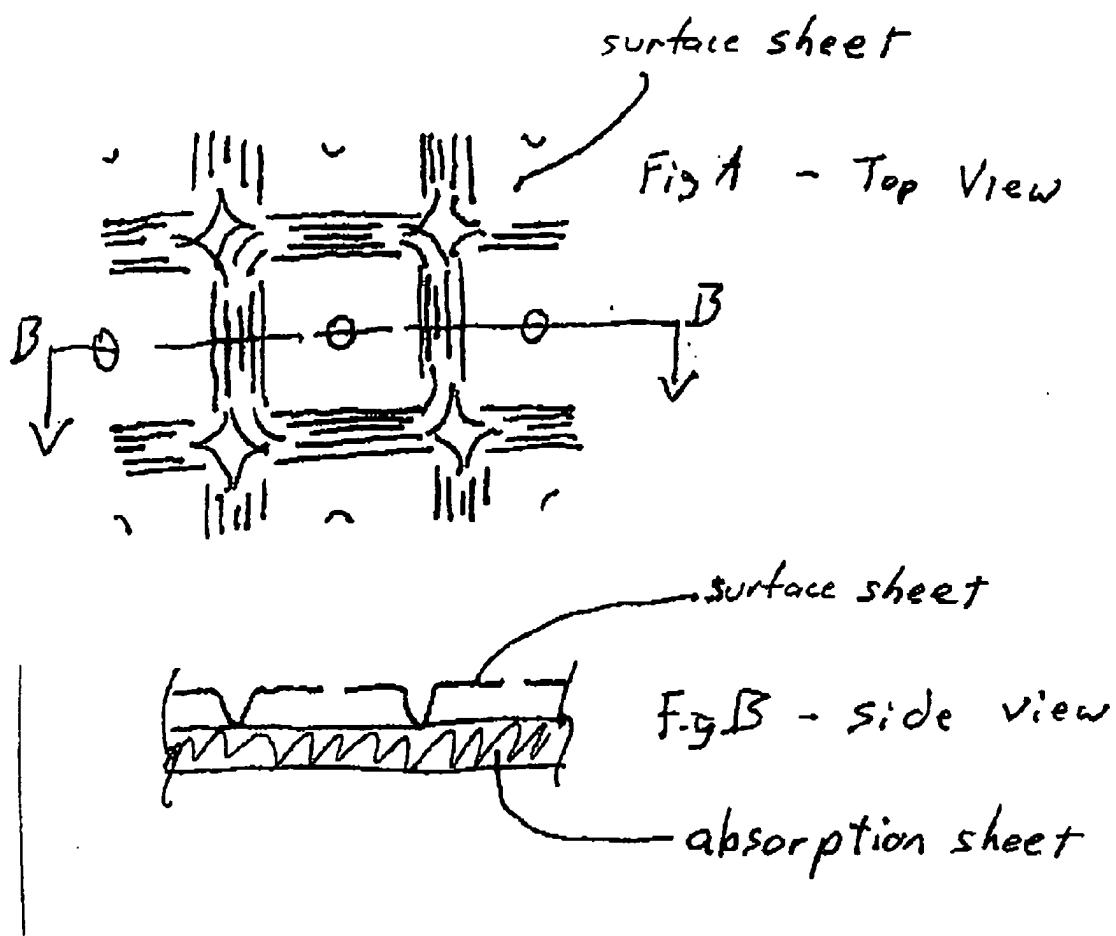
4. Amended claim 11 (old claim 12) (and dependent claims): the notched "terminal portion" described in the specification is not an "open edge" (page 7 Office Action), but rather is at the end of each aperture in contact with the absorption sheet. The notching improves airflow from the aperture into the cavity under the surface sheet, and thus provides substantial horizontal breathability, as is discussed in specification. The cited art clearly does not show such a notched terminal portion.

5. Amended claim 1 (similar to old claim 11), amended claim 11, and amended claim 21: The rejections of claims 1-21 were based on inherency. Inherence requires that the asserted feature necessarily be present. See:

M.P.E.P. 2112 IV. ... "The fact that a certain result or characteristic may occur or be present in the prior art is not sufficient to establish the inherency of that result or characteristic." ... "To establish inherency, the extrinsic evidence 'must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill. Inherence, however, may not be established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient." ... "In relying upon the theory of inherency, the examiner must provide a basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristic necessarily flows from the teachings of the applied prior art."

The asserted characteristic is not necessarily present in the cited art. More particularly, possible configurations of the device described in JP-A-H03-85886 could lack a cavity providing horizontal breathability, so that feature is not inherent under M.P.E.P. 2112. For example, claim 2 of the cited reference reads upon a hypothetical tray mat, as depicted on the next page. That tray mat fails to have a cavity providing horizontal breathability. Therefore that feature is not inherent.

Thanks for considering these positions of the applicants.



Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of Claims:

1. (currently amended) A drip absorption mat to be laid under a drip-cozing food comprising:
 - an absorption sheet configured to absorb drips; and
 - a porous surface sheet adjoining the absorption sheet, and having a first side facing said absorption sheet and a second side configured to adjoin the food;
 - wherein said porous surface sheet comprises a film having a plurality of protrusions, each protrusion having a convex side and a concave side;
 - wherein a hollow cavity is formed adjacent the protrusions on the convex side;
 - wherein a pore is provided at the bottom of said concave side of each protrusion such that the protrusion forms a minute aperture; and
 - wherein said porous surface sheet is configured to prevent color deterioration on a side of the food adjoining said porous surface sheet by adding ~~adds~~ to the breathability of said absorption sheet in both the horizontal and thickness directions.
 - 2. (previously presented) A drip absorption mat according to Claim 1;
wherein said absorption sheet comprises a non-woven fabric having a thickness in the range of 0.3 mm to 3.0 mm.
 - 3. (currently amended) A drip absorption mat, for use with a tray configured with a mounting surface on which the food is to be placed, according to Claim 1;
wherein said drip absorption mat is configured as a tray-mat sized to be laid on the mounting surface of the tray between the tray and the food.

4. (previously presented) A drip absorption mat to be laid under a drip-oozing food comprising:

an absorption sheet configured to absorb drips; and

a porous surface sheet adjoining the absorption sheet, and having a first side facing the absorption sheet and a second side configured to adjoin the food;

wherein the drip absorption mat is characterized by a ventilation resistance, in the thickness direction, that does not exceed 1.00 Kpa·s/m.

5. (previously presented) A drip absorption mat according to Claim 4;

wherein a ventilation resistance value of said porous surface sheet in the thickness direction does not exceed 0.20 Kpa·s/m.

6. (previously presented) A drip absorption mat according to Claim 4;

wherein said absorption sheet comprises a non-woven fabric having a thickness in the range of 0.3 mm to 3.0 mm.

7. (currently amended) A drip absorption mat, for use with a tray configured with a mounting surface on which the food is to be placed, according to Claim 4;

wherein said drip absorption mat is ~~configured as a tray-mat-sized~~ to be laid on the mounting surface of the tray between the tray and the food.

8. (previously presented) A drip absorption mat according to Claim 4;

wherein said drip absorption mat is characterized by a ventilation resistance value in a horizontal direction that does not exceed 0.20 Kpa·s/m when measured by a test methodology, comprising:

laying a plurality of drip absorption mats one on top of another to build a drip absorption mat stack;

excising a cylinder of 28 mm in diameter and 5.0 mm thick in the direction of layering; and

aerating said cylindrically excised drip absorption mat stack in the horizontal direction.

9. (previously presented) A drip absorption mat according to Claim 8;
wherein said absorption sheet comprises a non-woven fabric having a thickness in the range of 0.3 mm to 3.0 mm.

10. (currently amended) A drip absorption mat, for use with a tray configured with a mounting surface on which the food is to be placed, according to Claim 8;

wherein said drip absorption mat is ~~configured as a tray mat-sized~~ to be laid on the mounting surface of the tray between the tray and the food.

11. (currently amended) A drip absorption mat to be laid under a drip-oozing food comprising:

an absorption sheet configured to absorb drips; and

a porous surface sheet adjoining the absorption sheet, and having a first side facing the absorption sheet and a second side configured to adjoin the food;

wherein said porous surface sheet comprises a film having a plurality of protrusions, each protrusion having a convex side and a concave side;

wherein a hollow cavity is formed adjacent the protrusion-protrusions on the convex side; and

wherein a pore is provided at the bottom of said concave side of each protrusion such that the protrusion forms a minute aperture;

wherein a terminal portion of said porous surface sheet is in contact with the absorption sheet; and

wherein the terminal portion is notched so as to facilitate air flow between the hollow cavities and the apertures.

12. (canceled)

13. (previously presented) A drip absorption mat according to Claim 11;

wherein said minute aperture is tapered with an opening of larger diameter on a side configured to adjoin the food.

14. (previously presented) A drip absorption mat according to Claim 11;
wherein said absorption sheet and said porous surface sheet are adhered to each other in a manner that does not clog said minute aperture.
15. (previously presented) A drip absorption mat according to Claim 14;
wherein the absorption and porous surface sheets are glued either at dots or in a line.
16. (currently amended) A drip absorption mat, for use with a tray configured with a mounting surface on which the food is to be placed, according to Claim 15;
wherein said drip absorption mat is ~~configured as a tray mat-sized~~ to be laid on the mounting surface of the tray between the tray and the food.
17. (previously presented) A drip absorption mat according to Claim 11;
wherein said surface sheet defines a space occupied as a whole, said film occupying not more than 30% of the space occupied as a whole.
18. (original) A drip absorption mat according to Claim 11;
wherein the number of said apertures is not below 20 per 1 cm².
19. (previously presented) A drip absorption mat according to Claim 11;
wherein said drip absorption mat is characterized by a ventilation resistance value in a horizontal direction that does not exceed 0.20 Kpa s/m when measured by a test methodology, comprising:
laying a plurality of drip absorption mats one on top of another to build a drip absorption mat stack;
excising a cylinder of 28 mm in diameter and 5.0 mm thick in the direction of layering; and
aerating said cylindrically excised drip absorption mat stack in the horizontal direction.
20. (currently amended) A drip absorption mat, for use with a tray configured with a mounting surface on which the food is to be placed, according to Claim 11;
wherein said drip absorption mat is ~~configured as a tray mat-sized~~ to be laid on the mounting surface of the tray between the tray and the food.

21. (previously presented) An absorption mat for receiving food item oozing liquid, comprising:

an absorption sheet configured to absorb liquid; and

a porous surface sheet adjoining the absorption sheet, and having a first side facing the absorption sheet and a second side for adjoining the food item, the first side defining a cavity between the absorption sheet and the surface sheet;

wherein the surface sheet is configured to support the food item while maintaining the cavity between the absorption sheet and the surface sheet; and

wherein the surface sheet defines pores that allow liquid from the food item to flow through to the absorption sheet; and

wherein the cavity adds horizontal breathability to the absorption mat.

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Name	CHANG VICTOR S							
Employee No	78796							
Organization	P/1771 -- GROUP ART UNIT 1771							
Email	<u>victor.chang@uspto.gov</u>							
System Login Id	vchang1							
Primary	Bldg	Floor	Suite	Corr.	Room	Zone	Planned Move	Status
*	REM	06		A	40			Current
CONTACT NUMBER								
Primary	Type	Number				Ext	Planned Move	Status
*	Telephone	(571)272-1474						Current

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Employee No	69336							
Organization	P/1771 -- GROUP ART UNIT 1771							
Email	<u>terrel.morris@uspto.gov</u>							
System Login Id	tmorris1							
Primary	Bldg	Floor	Suite	Corr.	Room	Zone	Planned Move	Status
*	REM	06		A	81			Current
CONTACT NUMBER								
Primary	Type	Number			Ext	Planned Move	Status	
*	Telephone	(571)272-1478					Current	

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